

S. No. 45 (I)

396

By e-mail / Speed Post

Pt. issue
pay 13/7/15

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110001

No.23/1/2015(NERPAP)-ERS / 93-94

Dated: 13th July, 2015

To,

1. DG, UIDAI, 2nd Floor, Tower-I, Jeevan Bharti Building, Connaught Circus, New Delhi - 110001.
2. The Registrar General and Census Commissioner of India, 2/A, Man Singh Road, New Delhi - 110011.

Subject: The Commission's meeting dated 21st May, 2015 on "Issues and challenges in Linking Aadhaar with ER data" - Regarding.

Sir,

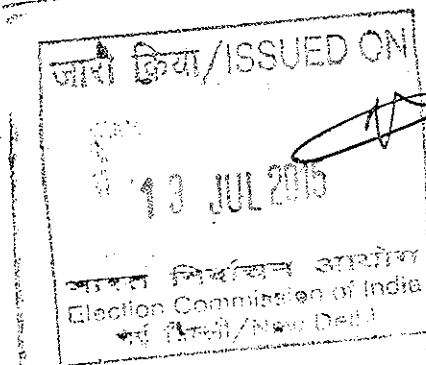
I am directed to send herewith the minutes of meeting held in the Commission on 21st May, 2015 to discuss Issues and challenges in Linking Aadhaar with ER data for your information and necessary action.

2. On the basis of decision made in the meeting, the Commission has issued suitable instructions on Aadhaar collection and data security of Aadhaar database to all CEOs for their immediate compliance (copy enclosed).

3. Further, the Commission has desired that any issue relating to furnishing the data as and when, brought to your notice by CEOs, may be resolved immediately on priority basis.

Yours faithfully,

(NARENDRA N. BUTOLIA)
SECRETARY



TRUE CERTIFIED COPY

Rajan Agarwal
राजन आग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

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Subject: - The Commission's meeting on NERPAP - 21.05.2015-Minutes of the Meeting.

A meeting held by the Commission on 21/05/2015 at 11.00-AM in Room no 601, Nirvachan Sadan, New Delhi to discuss, "Issues and Challenges in Linking Aadhaar with ER Data in UIDAI and NPR States".

2. The followings were also present during the meeting:

- i. Sh. Vijay S. Madan, DG,UIDAI,
- ii. Sh. S.K.Chakraborti, Addl.RGCR, RGI,
- iii. Prof. Rajat Moona, DG,C-DAC
- iv. Sh. N.K. Mehta,ED(CA),BSNL
- v. Smt. Rama Nangpal, DDG,NIC
- vi. Sh. Dinesh Tyagi, CEO, CSC

3. From the Commission's side, DEC (VZ), DEC (ST), DEC (US), Dir(IT) and Secy(NNB) attended the meeting. Besides, CEOs of Arunachal Pradesh, Meghalaya, Odisha, Tamilnadu and West Bengal also participated in the meeting.

4. Agenda of the meeting was as under:

1. Issues related to UIDAI -

- a) Agreement - an agreement has been signed between UIDAI and Election Commission. That agreement has been submitted on file, in which LA(SKM) has pointed out that an agreement cannot be entered in to between two offices working under President of India. He has suggested that maximum, an MOU can be signed between two such offices.
- b) MOU with CSC- as informed by CSC, UIDAI is insisting that the Commission has to sign a separate MOU with CSC for purpose of authentication of Adhaar data.
- c) Methodology to share the data - UIDAI has not supplied fully the web API which allows access to Adhaar data base through NVSP portal. This application is required for EROs to carry out seeding of Adhaar number in electoral data base.
- d) Biometrics for overseas Indian electors - the issue was discussed on 19.05.2015 in the meeting of the Committee on e-voting. As Adhaar is not issued to the overseas Indian electors, their biometrics have to be collected separately. It is for discussion whether UIDAI can take up the task of collection of biometrics of overseas Indian electors.

2. Issues related with RGI -

- a) Poor enrolment in NPR States.
- b) Insufficient manpower and equipments to agencies engaged by RGI.
- c) Non-issue of BME receipts and delay in distribution of Adhaar due to incomplete address.
- d) Delay in supply of data to CEOs

3. Issues related to BSNL -

- a) Poor network in North Eastern States.
- b) ECI - NET - a proposal for development of ECI NET on pattern of NIC NET/RAILTEL is under consideration. It is for discussion as to how BSNL can assist in development of ECI NET.

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Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अरावली रोड, नई दिल्ली 110001

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5. DEC(US) made a brief presentation on related concerns with UIDAI, RGI, BSNL and C-DAC as per the above agenda.

6. The main points of discussion were as follows:

- As regards Web API, DG UIDAI and DG C-DAC indicated that there is considerable progress in the development of this Web API for DSDV services. This is being closely monitored and tested by teams from C-DAC and UIDAI. It was mentioned that it's a matter of 3 to 4 days within which this service will be made available to EROs for seeding purpose.
- For AUA and KUA agreement, LA(SKM) intimated that he would discuss this matter separately with DG UIDAI and sort it out.
- Regarding MOU with CSC, it was mentioned that the issue would be seen again in the light of signing of AUA with UIDAI. However ECI and CSC could draft MoU which may cover other aspects as well to cover many services envisaged by ECI in providing services to the Citizen of India.
- As regards issues relating to RGI, the RGI representative mentioned that except for Meghalaya and Assam where enrolment has just started few months before, other NPRI states and UTs are having no issues as such. He informed that infact RGI has already provided RGI Data base with Aadhaar number, enrolment number and TIN number to States who requested for the data. CEOs of Tamilnadu and West Bengal confirmed that they have received the data from RGI.
- CEO, West Bengal indicated that although as intimated by RGI, Aadhaar coverage for the State is above 80 % while on the basis of data collected by BLOs through house to house visits it comes around 30%. It appears that letters are stuck in Post offices either because of incomplete addresses or for some other reasons.
- CEO, West Bengal requested to RGI to provide enumeration block number attached to the records in data base, which would help them to get the part wise data (since parts are almost matching with the enumeration blocks) and it would be easier to manage collection, feeding and seeding of Aadhaar number by respective BLOs and EROs. Sh. Chakraborti informed that TIN number already provided with the records contain enumeration block numbers. He further assured that all issues would be looked into and sorted out as soon as the same are brought to notice of RGI by the concerned CEOs.
- EC(J) directed the CEOs to approach RGI immediately in case they have any specific requests.
- DDG, BSNL indicated that he would look into network issues in North Eastern States and also provide necessary support for routine maintenance. He mentioned that the power problem in North Eastern States is the major reason for communication failure. On the mention of Optical Fiber Project of DoT by DG C-DAC, he indicated that the project is still under process and being a long term project may not help NERPAP.
- CEO, Arunachal Pradesh pointed that that the network connectivity within the state is very poor and BSNL should look into that. He expected RGI to provide the registration data so that it could be used by BLOs during door to door survey. Sh. Chakraborti agreed to this request. He mentioned that all other CEOs may also send their request directly to RGI and the data would be made available through concerned CPSUs.
- CEO, Meghalaya mentioned that the request to RGI has been already sent for the data. The registration for Aadhaar was started in Shillong and because of NGOs objections there was not much of the progress. But since the launch of NERPAP, people wish to get registered for Aadhaar so that they could submit the aadhaar number to Election Office.

राजभाषा/राजभाषा
अनुभाग अधिकारी/Secretary
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Asoka Road, N. Delhi-110001

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Now the progress has been seen not only in and around Shillong but also all over the state including rural areas.

- CEC pointed out that various representations/complaints have been received in the Commission suspecting that a number of deletions of names of voters from the Electoral Rolls by the BLOs may take on the basis of non-furnishing of Aadhaar number by the voters. It has also been brought to notice of the Commission that SMSs are being sent that EPIC cards will no longer be needed at the time of voting and that the Aadhaar database may be misused. CEC directed that though necessary instructions have already been issued by the Commission, to avoid confusion, more detailed and clear instructions should go to CEOs that furnishing of Aadhaar by an elector is not mandatory but it is optional. Non furnishing of Aadhaar number will not be a ground for rejection of application for new enrolment / deletion of an existing name from the Electoral roll. The citizens should be sensitized that the electors have been requested to give this information in their own interest and to ensure defect free Electoral Roll, and for incorporation of correct data of electors in the rolls to avoid duplicity and fake entries in the Electoral Rolls.
- As regards putting adequate safeguards to secure Aadhaar database, CEC further directed to send instructions to the CEOs to ensure that Aadhaar database is not misused under any condition. He asked to inform them that collection of Aadhaar number is only for the purpose of authentication of details of electors and confidentiality and security of data must be ensured during the process of feeding and seeding. Aadhaar number of an elector shall not be displayed / reflected in electoral roll or EPIC or voter slips or shown in digitized form on website for public scrutiny or other document of the Commission, shareable with public or put in public domain.

7. The meeting ended with thanks to the chair.

TRUE CERTIFIED COPY

Rajan Agarwal

राजल अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi-110001

400
By e-mail / Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No.23/1/2015(NERPAP)-ERS

Dated: 13th July, 2015

To,

The Chief Electoral Officers
of All States/UTs.

Subject: The Commission's meeting dated 21st May, 2015 on "Issues and challenges in Linking Aadhaar with ER data" – Regarding.

Sir/Madam,

I am directed to state that the Commission held a meeting on 21st May, 2015 to discuss "Issues and challenges in Linking Aadhaar with ER data in UIDAI and NPR states". The meeting was attended by DG, UIDAI, DG, C-DAC and senior officers of RGI, BSNL, NIC and CSC, besides CEOs of Arunachal Pradesh, Meghalaya, Odisha, Tamilnadu and West Bengal.

2. Main decisions taken in the meeting are as follows:

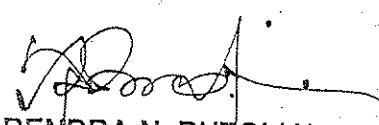
- I. Issues related to UIDAI:- As regards Web API, DG UIDAI and DG C-DAC indicated that there is considerable progress in the development of this Web API for DSDV services. This is being closely monitored and tested by teams from C-DAC and UIDAI. It was informed that the service will be made available shortly to EROs for seeding purpose.
- II. Issues related to RGI:- Sh. S.K. Chakraborti Addl. RGCR, RGI informed that RGI has provided RGI Data base with Aadhaar number, enrolment number and TIN number to States who have made request to them. As regards enumeration block number (which are almost matching with parts), Sh. Chakraborti informed that TIN number provided with the records contain enumeration block numbers. He further assured that the CEOs may bring any issue to the notice of RGI and the matter will be sorted out immediately. The CEOs may send their request for data directly to RGI and the data would be made available through concerned CPSUs.
- III. Issues related to BSNL:- DDG, BSNL indicated that the network issues in North Eastern States will be looked into immediately and BSNL will provide necessary support for routine maintenance to them.
- IV. Collection of Aadhaar and data Security:- As regards Aadhaar collection and security of Aadhaar database, the Commission decided that following instructions should be issued to all CEOs for their immediate compliance:
 - a. Furnishing of Aadhaar number is not mandatory; it is only optional and may be furnished voluntarily, as clarified by the Hon'ble Supreme Court.
 - b. No electoral service will be denied to any elector on the ground of non furnishing of Aadhaar number.

Rajan Aggarwal
राजन अग्रवाल/RAJAN AGGARWAL
अनुभाग अधिकारी/Section Officer
आरल नियंत्रण शाखा
Election Commission
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

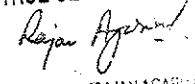
- 401
- c. Non-furnishing of Aadhaar number will not be a ground for rejection of application for new enrolment/objective against an application for new enrolment.
 - d. Similarly, non-furnishing of Aadhaar number will not be a ground for deletion of name of an existing elector from Electoral roll.
 - e. Collection of Aadhaar number is only for the purpose of authentication of details of electors and confidentiality and security of data must be ensured during the process of feeding and seeding.
 - f. Aadhaar number of an elector shall not be displayed / reflected in electoral roll or EPIC or voter slips or shown in digitized form on website for public scrutiny or in any other document of the Commission, shareable with public or put in public domain. It must be ensured that Aadhaar database is not misused under any condition.

3. Accordingly, the Commission has directed that the CEOs may approach RGI and UIDAI directly, in case they have any specific issue relating to linking of Aadhaar with ER data so that the matter may be resolved without lapse of time. The Commission has also directed that the above mentioned instructions related to Aadhaar collection and security of database, issued earlier vide the letter of even number dated 22nd May, 2015 shall be complied with by all the concerned.

Yours faithfully,


(NARENDRA N. BUTOLIA)
SECRETARY

TRUE CERTIFIED COPY


राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
असतोप रीस, नए दिल्ली-110001
Asstt. Secy, New Delhi-110001

By e-mail / Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110001

No.23/1/2015(NERPAP)-ERS

Dated: May, 2015

To,

1. DG, UIDAI, 2nd Floor, Tower-I, Jeevan Bharti Building, Connaught Circus, New Delhi - 110001.
2. The Registrar General and Census Commissioner of India, 2/A, Man Singh Road, New Delhi - 110011.

Subject: The Commission's meeting dated 21st May, 2015 on "Issues and challenges in Linking Aadhaar with ER data" - Regarding.

Sir,

I am directed to send herewith the minutes of meeting held in the Commission on 21st May, 2015 to discuss Issues and challenges in Linking Aadhaar with ER data for your information and necessary action.

2. On the basis of decision made in the meeting, the Commission has issued suitable instructions on Aadhaar collection and data security of Aadhaar database to all CEOs for their immediate compliance *(copy attached)*.

3. Further, the Commission has desired that any issue relating to furnishing the data as and when, brought to your notice by CEOs may be *tackled* immediately on priority basis. *resolved*

Yours faithfully,

(NARENDRA N. BUTOLIA)
SECRETARY

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुसंधान अधिकारी/Section Officer
आयुक्त निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

402

Subject: The Commission's meeting dated 21st May 2015 on issues and challenges in Linking Aadhaar with ER data-regarding

Date: 07/13/15 04:37 PM

From: narendra n butolia <narendranb@eci.gov.in>

To: Vijay S Madan <dg@uidai.gov.in>,

Registrar General & CC India <rgi.rgi@censusindia.gov.in>

Cc: Ajoy Kumar Under Secretary <ajoykumar@eci.gov.in>

NERPAP III UIDAI.pdf (2.4MB)

Sir,

Please find enclosed the Commission's letter No. 23/1/2015 (NERPAP)-ERS, dated 13th July 2015 on the subject for necessary action.

with regards,

Narendra N. Butolia
Secretary (ECI)

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi-110001

11.08.15 ERS
15/7/15

S.No. 46(5)

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By e-mail / Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI -110001

No. 23/1/2015 (NERPAP)-ERS

424 to 458

Dated: 15 July, 2015

To,

The Chief Electoral Officers of
All States & Union Territories.

Subject: Linking of Aadhaar with ER data – Agreement signed between UIDAI and the
Commission for use of Aadhaar Authentication - Clarification from UIDAI.

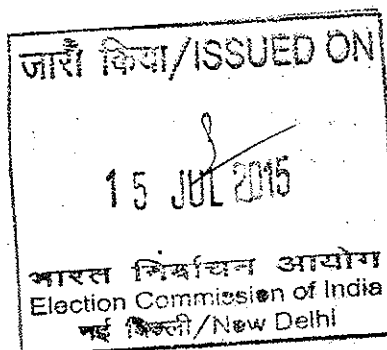
Sir/Madam,

I am directed to state that the Commission has signed an Agreement with UIDAI for use of Aadhaar Authentication, eKYC, DSDV and other tools for seeding of Aadhaar Number into EPIC database. In this connection, UIDAI has sent a clarification that the Agreement is not violative of the Supreme Court's direction dated 24th March, 2014 that the Aadhaar data collected by UIDAI would not be transferred to any other agency without the consent, in writing, of the individual concerned and is as per the UIDAI policy.

A copy of UIDAI's above referred letter is being sent herewith for your information and necessary action.

Yours faithfully,

(AJOY KUMAR)
UNDER SECRETARY



TRUE CERTIFIED COPY
Rajan Agarwal
राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

87 no 42(R)

404

F.No. 4(4)/57/62/EC/2011-E&U-Vol.I
GOVERNMENT OF INDIA
NITI Aayog
Unique Identification Authority of India

2nd Floor, Tower-1, Jeevan Bharti Building
Connaught Circus, New Delhi-110 001

Date: 2.7.15

To,

Shri Umesh Sinha
Deputy Election Commissioner
Election Commission of India
Nirvachan Sadan,
Ashoka Road,
New Delhi - 110001

Sub: Policy document/instructions on sharing of biometric data.

Please refer your D.O. No.23/1/2015-ERS(NERPAP)Vol.I dated 30th June 2015 regarding agreement / MoU signed between UIDAI and ECI for use of Authentication services of UIDAI by ECI for seeding of Aadhaar number into EPIC data base.


As part of authentication services, resident's data is not shared by UIDAI. The authentication Services response from UIDAI is only in the form of "yes" or "no". In case of eKYC service, based on transactional consent (Biometric / OTP) of resident, resident's demographic data is shared. UIDAI never shares biometric data with any agency

Further, in order to verify the Aadhaar details collected by a Government organisation, UIDAI provides a tool (DSDV) to view the demographic and photograph of the resident in a secure manner. The tool does not allow sharing / storing of the data. Further, organisation also has obligation to use the tool only for the purpose of viewing and verification. In any case, when a person furnishes a copy of any document his consent for verification of veracity of the document is inherent. The government organisation signs an agreement to use the service.

While hearing a Special Leave Petition (SLP No. 2524/2014) on 24.03.2014 against the Order of the High Court of Bombay dated 26.02.2014 in CRLWP No. 10 of 2014, the Supreme Court had passed, inter alia, an order restraining UIDAI from sharing biometric data without consent of the resident (copy enclosed). Hence, the agreement signed between UIDAI and ECI for use of Aadhaar Authentication, eKYC, DSDV and other tools are violative of the court order and are as per the UIDAI policy.

This issues with the approval of DG & MD, UIDAI.

Yours faithfully,



(Ashok Kumar)
Assistant Director General (E&U)

TRUE CERTIFIED COPY
Rajiv Agarwal
अनुक्रम अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

148 405

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

356) Petition(s) for Special Leave to Appeal (Crl) No(s).2524/2014

(From the judgement and order dated 26/02/2014 in CRLWP No.10/2014,
of The HIGH COURT OF BOMBAY AT PANAJI)

UNIQUE IDENTIFICATION AUTH.OF INDIA &ANR
VERSUS

Petitioner(s)

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

(With appln. for exemption from filing c/c of the impugned Judgment
and office report)

Date: 24/03/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr.Mohan Parasaran, SG
Mr.Rakesh Khanna, ASG
Mr. Zohar Hossain, Adv.
Mr. Alok Mishra, Adv.
Mr. D.S. Mahra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Issue notice.

In addition to normal mode of service, dasti
service, is permitted.

Operation of the impugned order shall remain
stayed.

In the meanwhile, the present petitioner is
restrained from transferring any biometric information
of any person who has been allotted the Aadhaar number
to any other agency without his consent in writing.

..2/-

TRUE CERTIFIED COPY

Rajan Aggarwal

राजन अग्रवाल/RAJAN AGGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi-110001

1406

More so, no person shall be deprived of any service for want of Aadhaar number in case he/she is otherwise eligible/entitled. All the authorities are directed to modify their forms/circulars/likes so as to not compulsorily require the Aadhaar number in order to meet the requirement of the interim order passed by this Court forthwith.

Tag and list the matter with main matter i.e.
WP(C) No.494/2012.

[Usha Bhardwaj]
A.R.-cum-P.S.

[M.S. Negil]
Assistant Registrar

TRUE CERTIFIED COPY
Rajan Aggarwal
राजन अग्रवाल/RAJAN AGGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi-110001

15/2/15

https://mail.gov.in/iwc_static/layout/shell.html?lang=en-US&3.0.0.0.1_020202

Subject: Linking of Aadhaar with ER Data - Agreement signed between UIDAI
and the Commission for use of Aadhaar Authentication - Clarification
from UIDAI

To: ceo_andhrapradesh@eci.gov.in,
ceo_arunachalpradesh@eci.gov.in, ceo_assam@eci.gov.in,
ceo_bihar@eci.gov.in, ceo_chhattisgarh@eci.gov.in,
ceo_goa@eci.gov.in, ceo_gujarat@eci.gov.in,
ceo_haryana@eci.gov.in, ceo_himachalpradesh@nic.in,
ceo_jharkhand@eci.gov.in, ceo_kerala@eci.gov.in,
ceo_madhyapradesh@eci.gov.in, ceo_maharashtra@eci.gov.in,
ceo_manipur@eci.gov.in, ceo_meghalaya@eci.gov.in,
ceo_nagaland@eci.gov.in, ceorissa@gmail.com,
ceo_orissa@eci.gov.in, ceo_punjab@eci.gov.in,
ceo_rajasthan@eci.gov.in, ceo_sikkim@eci.gov.in,
ceo_tamilnadu@eci.gov.in, ceo_tripura@eci.gov.in,
ceo_uttarpradesh@eci.gov.in, ceo_uttaranchal@eci.gov.in,
ceo_westbengal@nic.in, ceo_andaman@eci.gov.in,
ceo_chandigarh@eci.gov.in, ceo_dadra@eci.gov.in,
ceo_daman@eci.gov.in, ceo_delhi@eci.gov.in,
ceo_lakshadweep@eci.gov.in, ceo_mizoram@eci.gov.in,
ceo_pondicherry@eci.gov.in, jtceo_pondicherry@eci.gov.in,
jointceo_karnataka@gmail.com, ceo_jammukashmir@nic.in
Cc: narendra butolia <narendranb@eci.gov.in>

Date: 07/15/15 03:01 PM

From: Ajoy Kumar Under Secretary <ajoykumar@eci.gov.in>

scan0017.pdf (706kB)

Sir / Madam,

Please find attachment, on the subject cited.
with regards,

US(AKJ)

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Asoka Road, N. Delhi-110001

1. यूआईडीएआई से संबंधित भूदत्त :- वेब एपीआई के संबंध में, महानिदेशक यूआईडीएआई एवं महानिदेशक सी-डैक ने उल्लेख किया कि डीएसडीवी सेवाओं के लिए इस वेब एपीआई के विकास में पर्याप्त प्रगति हुई है। सी-डैक एवं यूआईडीएआई की टीमों द्वारा महानिदेशक से इसका अंगीकरण एवं जांच की जा रही है। यह सूचित किया गया कि यह सेवा
2. बैंक में लिए गए मुख्य निर्णय निम्नानुसार हैं :

तल्लनाई एवं परिचय बंगाल के मुख्य निर्वाचन अधिकारी भी उपस्थित थे।
एवं सीएससी के वरिष्ठ अधिकारियों के साथ-साथ अज्जावल प्रदेश, मेघालय ओडिशा, महानिदेशक, यूआईडीएआई, महानिदेशक, सी-डैक और आरजीआई, बीएसएनएल, एनआईसी विचार-विमर्श करने के लिए दिनांक 21 मई, 2015 को एक बैंक आयोजित की थी। बैंक में मैं निर्वाचक नामावली डाटा के साथ आधार को लिंक करने संबंधी भूदत्त एवं चुनौतियाँ पर मुझे यह कहने का निर्देश हुआ है कि आयोग ने यूआईडीएआई एवं एनपीआर राज्यों

महोदय/महोदया,

विषय : "निर्वाचक नामावली डाटा के साथ आधार को लिंक करने संबंधी भूदत्त एवं चुनौतियाँ" पर
आयोग की दिनांक 21 मई, 2015 की बैठक-तत्संबंधी।

मुख्य निर्वाचन अधिकारी।

सभी राज्यों/संघ राज्य क्षेत्रों के

सेवा में

सं. 23/1/2015 (नरप-ईआरएस) | 878-918
दिनांक: 13 जुलाई, 2015

भारत निर्वाचन आयोग

निर्वाचन सदन, अशोक रोड, नई दिल्ली - 110001

ई-मेल/एपीआई पोस्ट द्वारा

8.10.12

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प्रति आपसि का कोई आधार नहीं होगा।

ग. आधार संख्या को प्रस्तुत न करना नए पंजीकरण को निरस्त करने का कारण होगा।

प्रकार की निर्वाचक सेवा के लिए मना नहीं किया जाएगा।

ख. आधार संख्या को प्रस्तुत न करने के आधार पर किसी भी निर्वाचक को किसी भी मना है।

क. आधार संख्या प्रस्तुत करना अनिवार्य नहीं है; यह केवल वैकल्पिक है और स्वेच्छा से प्रस्तुत किया जा सकता है। वैसाकि माननीय उच्चतम न्यायालय द्वारा स्पष्ट किया गया है।

उनके तत्काल अनुपालन के लिए सभी मुख्य निर्वाचन अधिकारियों को जारी किया जाए :-

IV. आधार का एकत्रीकरण एवं डाटा सुरक्षा :- जहां तक आधार के एकत्रीकरण और आधार डाटाबेस की सुरक्षा का संबंध है, आयोग ने यह निर्णय लिया है कि निम्नलिखित अनुदेशों को

अनुरक्षण के लिए आवश्यक सहयोग उपलब्ध करवाएगा।

III. बीएसएनएल से संबंधित मुद्दे :- डीडीजी, बीएसएनएल ने उल्लेख किया कि उत्तर-पूर्वी राज्यों में नेटवर्क संबंधी मुद्दों पर तुरंत ध्यान दिया जाएगा और बीएसएनएल उनके रुटीन

डाटा संबंधित सीपीएसयू के माध्यम से उपलब्ध करा दिया जाएगा।

मुख्य निर्वाचन अधिकारी डाटा के लिए अपना अनुरोध सीधे आरजीआई को भेज सकते हैं और आरजीआई के ध्यान में ला सकते हैं और उस मामले को तत्काल हल कर दिया जाएगा। इसके अतिरिक्त, उन्होंने आश्वस्त किया कि मुख्य निर्वाचन अधिकारी कोई भी मामला नें संचित किया कि रिकार्ड में उपलब्ध टीआईएन संख्या में एन्यूमरेशन नम्बर निहित है। एक एन्यूमरेशन ब्लॉक नम्बर (जो पार्सेस से त्रुटिपूर्ण हो सकते हैं), का संबंध है, श्री चक्रवर्ती संख्या के साथ आरजीआई डाटा उपलब्ध करा दिया है जिन्होंने उनसे अनुरोध किया है। जहां संचित किया कि आरजीआई ने उन राज्यों को आधार संख्या, पंजीकरण संख्या एवं टीआईएन आरजीआई से संबंधित मुद्दे :- श्री एस.के. चक्रवर्ती, अपर आरजीसीआर, आरजीआई ने

जाएगी।

सीडिंग उद्देश्य के लिए निर्वाचक रजिस्ट्रार अधिकारियों को जल्दी उपलब्ध करा दी

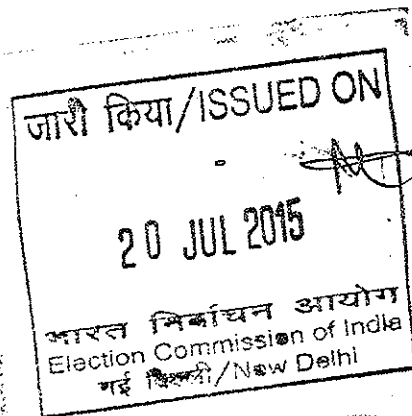
किसी प्रकार, आधार संख्या को प्रस्तुत न करना निर्वाचक नामावली से किसी विद्यमान निर्वाचक का नाम हटाने के लिए कोई आधार नहीं होगा। ..

आधार संख्या का एकत्रीकरण केवल निर्वाचकों के विवरणों के सत्यापन के उद्देश्य के लिए है और फीडिंग एवं सीडिंग की प्रक्रिया के दौरान डाटा की गोपनीयता एवं सुरक्षा अवश्य सुनिश्चित की जानी चाहिए।

च. किसी भी निर्वाचक की आधार संख्या निर्वाचक नामावली या निर्वाचक फोटो पहचान पत्र या मतदाता पर्चियों या लोक संवीक्षा के लिए वेबसाइट पर डिजीटल रूप में या जनता के साथ शेयर करने योग्य या पब्लिक डोमेन में रखे आयोग के किसी अन्य दस्तावेज में प्रदर्शित/प्रतिबिंबित नहीं की जाएगी। यह अवश्य सुनिश्चित किया जाए कि किसी भी स्थिति में आधार डाटाबेस का दुरुपयोग नहीं किया जाए।

3. तदनुसार, आयोग ने निदेश दिया है कि मुख्य निर्वाचन अधिकारी सीधे आरजीआई एवं यूआईडीएआई से संपर्क कर सकते हैं यदि उन्हें निर्वाचक नामावली के साथ आधार को लिंक करने के संबंध में कोई विशिष्ट समस्या है, ताकि मामले को समय बर्बाद किए बिना सुलझाया जा सके। आयोग ने यह भी निदेश दिया है कि दिनांक 22 मई, 2015 के समसंख्यक पत्र द्वारा पूर्व में जारी आधार एकत्रीकरण एवं डाटाबेस की सुरक्षा से संबंधित उपर्युक्त अनुदेशों का सभी संबंधितों द्वारा अनुपालन किया जाएगा।

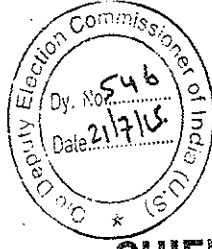
भवदीय,



(नरेन्द्र ना. बुटालिया)
सचिव

TRUE CERTIFIED COPY
Rajan Agarwal
राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

**ELECTION
IMMEDIATE**



**OFFICE OF THE
CHIEF ELECTORAL OFFICER**

GUJARAT STATE

General Administration Department (Election Division)

Phone : 079-23256731
079-23250456
Fax No.: 079-23250324
079-23250319

Sardar Bhavan, Block No. 7, 2nd floor, Sachivalaya, Gandhinagar-382 010.

No:ELR-1015-29(2)-CHH

Dated: 10th July, 2015

To,
Dr.C. Chandramouli, IAS
Registrar General and Census Commissioner India,
2A, Man Singh Road,
New Delhi 110 011.

**Sub : National Electoral Roll Purification and Authentication
Programme - regarding.**

Sir,

With the objective of bringing a totally error free and authenticated electoral roll, the Commission has decided to launch a comprehensive programme i.e. "National Electoral Roll Purification and Authentication Programme (NERPAP) from 3.3.2015. Major objectives of NERPAP are,

1. to rectify errors in the details of the electoral roll and
2. more importantly, to link EPIC number of the elector with his Aadhar no. with a view to identifying duplicate entries in the electoral roll.

Accordingly we have been collecting aadhaar numbers of the electors through various means and ways. Kindly recall the Video Conference held by the Election Commission of India earlier this year in which you were present. It has been learnt that NPR is having about 10 lakh data of Gujarat State with EPIC number. If these data are shared with us, it can be useful in seeding of Aadhar data with that of EPIC data of the electors.

It is therefore requested that the aforesaid NPR data with EPIC no. of Gujarat State may kindly be shared with us. It will be helpful in enhancing the feeding and seeding percentage of aadhaar data.

Yours faithfully,

(Anita Karwal)

Chief Electoral Officer,

Gujarat State.

Copy to:

Shri Umesh Sinha, Deputy Election Commissioner, Election Commission
India, Nirvachan Sadan, Ashoka Road, New Delhi - 110 001.

TRUE CERTIFIED COPY
राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

SI. No. 40 L7

Copy No. 378, E.R.S
27/7/15

**OFFICE OF THE CHIEF ELECTORAL OFFICER,
ANDHRA PRADESH & TELANGANA**
South 'H' Block, A.P. Secretariat, Hyderabad.

Letter No. 736/Elecs.E/A2/2015-107

Dated: 02.07.2015

To
The Director (IT)
Election Commission of India,
Nirvachan Sadan,
Ashoka Road,
New Delhi - 110 001

Sir,

Sub:- Improvement in Electoral Rolls - National Electoral Rolls
Purification and Authentication Programme (NERPAP) launched
by the Election Commission of India - Aadhaar seeding in EPIC
database - Providing of DSDV tool by UIDAI - Regarding.

Ref:- This Office Letter No. 736/Elecs.E/A2/2015-88, dt.23.05.2015

--:oOo:--

I invite your kind attention to the reference cited, wherein it was
informed that the Director General & Mission Director, UIDAI has been
addressed to extend the facility by giving DSDV tool to the Registrar, ITE&C
Dept., Govt. of Andhra Pradesh to link the Aadhaar of non-consent data, UID in
respect of EID and Aadhaar issued in other States and requested the
Commission to pursue with the UIDAI for extending the facility. UIDAI has not
provided the DSDV tool so far.

I, therefore, request you kindly to pursue with the UIDAI for
extending the facility of giving DSDV tool, so that the Aadhaar-EPIC linking in
both the States of Andhra Pradesh and Telangana would be fully completed at
the earliest.

Yours faithfully,
Sd/-

ADDL.CHIEF ELECTORAL OFFICER &
E.O. SPL.SECRETARY TO GOVERNMENT

//Forwarded :: By Order//

Srinivas
SECTION OFFICER

TRUE CERTIFIED COPY

Rajan Agarwal
राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

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S.No. 49(I)

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By Special Messenger

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110001

No. 23/1/2015-ERS (NERPAP)-Vol.I

Dated: 30th July, 2015

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To,

The Director General,
UIDAI,
2nd Floor, Tower - I, Jeevan bharti Building,
Connaught Circus, New Delhi - 110001.

Subject: Issues and challenges in linking Aadhaar with ER data - regarding.

Sir,

pp 396-401/c

I am directed to refer to Commission's letter dated 13.07.2014 (copy enclosed for ready reference) on the subject mentioned above and to enclose herewith a copy of letter No.736/Elecs.E/A2/2015-107 dated 02.07.2015 received from the O/o CEO, Andhra Pradesh and Telangana with request to look into the matter and provide the web API for DSDV services so that the Aadhaar - EPIC linking could be completed at the earliest.

✓ p. 412/c

Encl: a/a.

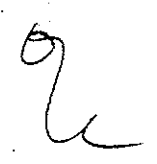
Yours faithfully,



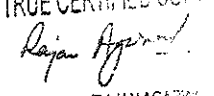
(AJAY KUMAR)
UNDER SECRETARY

जारी किया/ISSUED ON
30 JUL 2015
भारत निर्वाचन आयोग
Election Commission of India
नई दिल्ली/New Delhi

45308M



TRUE CERTIFIED COPY



राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Asoka Road, N. Delhi-110001

S. No. 50 (R)

414

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.494 OF 2012

Justice K.S. Puttaswamy (Retd.) & Another ... Petitioners

Versus

Union of India & Others ... Respondents

WITH

TRANSFERRED CASE (CIVIL) NO.151 OF 2013

TRANSFERRED CASE (CIVIL) NO.152 OF 2013

WRIT PETITION (CIVIL) NO.829 OF 2013

WRIT PETITION (CIVIL) NO.833 OF 2013

WRIT PETITION (CIVIL) NO.932 OF 2013

TRANSFER PETITION (CIVIL) NO.312 OF 2014

TRANSFER PETITION (CIVIL) NO.313 OF 2014

WRIT PETITION (CIVIL) NO.37 OF 2015

WRIT PETITION (CIVIL) NO.220 OF 2015

TRANSFER PETITION (CIVIL) NO.921 OF 2015

CONTEMPT PETITION (CIVIL) NO.144 OF 2014 IN WP(C) 494/2012

CONTEMPT PETITION (CIVIL) NO.470 OF 2015 IN WP(C) 494/2012

INTERIM ORDER

After the matter was referred for decision by a larger Bench,
the learned counsel for the petitioners prayed for further interim

TRUE CERTIFICATE
Rajiv Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुमान अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

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orders. The last interim order in force is the order of this Court dated 23.9.2013 which reads as follows:-

"....

All the matters require to be heard finally. List all matters for final hearing after the Constitution Bench is over.

In the meanwhile, no person should suffer for not getting the Aadhaar card inspite of the fact that some authority had issued a circular making it mandatory and when any person applies to get the Aadhaar card voluntarily, it may be checked whether that person is entitled for it under the law and it should not be given to any illegal immigrant."

It was submitted by Shri Shyam Divan, learned counsel for the petitioners that the petitioners having pointed out a serious breach of privacy in their submissions, preceding the reference, this Court may grant an injunction restraining the authorities from proceeding further in the matter of obtaining biometrics etc. for an Aadhaar card. Shri Shyam Divan submitted that the biometric information of an individual can be circulated to other authorities or corporate bodies which, in turn can be used by them for commercial exploitation and, therefore, must be stopped.

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi 110001

The learned Attorney General pointed out, on the other hand, that this Court has at no point of time, even while making the interim order dated 23.9.2013 granted an injunction restraining the Unique Identification Authority of India from going ahead and

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obtaining biometric or other information from a citizen for the purpose of a Unique Identification Number, better known as "Aadhaar card". It was further submitted that the respondents have gone ahead with the project and have issued Aadhaar cards to about 90% of the population. Also that a large amount of money has been spent by the Union Government on this project for issuing Aadhaar cards and that in the circumstances, none of the well-known considerations for grant of injunction are in favour of the petitioners.

The learned Attorney General stated that the respondents do not share any personal information of an Aadhaar card holder through biometrics or otherwise with any other person or authority. This statement allays the apprehension for now, that there is a widespread breach of privacy of those to whom an Aadhaar card has been issued. It was further contended on behalf of the petitioners that there still is breach of privacy. This is a matter which need not be gone into further at this stage.

The learned Attorney General has further submitted that the Aadhaar card is of great benefit since it ensures an effective implementation of several social benefit schemes of the Government like MGNREGA, the distribution of food, ration and kerosene through PDS system and grant of subsidies in the distribution of LPG. It was, therefore, submitted that restraining the respondents from issuing further Aadhaar cards or fully utilising the existing

TRUE CERTIFIED COPY

Rajan Agarwal

15

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारतीय निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली 110001
Ashoka Road, N. Delhi-110001

Page 15

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Aadhaar cards for the social schemes of the Government should be allowed.

The learned Attorney General further stated that the respondent Union of India would ensure that Aadhaar cards would only be issued on a consensual basis after informing the public at large about the fact that the preparation of Aadhaar card involving the parting of biometric information of the individual, which shall however not be used for any purpose other than a social benefit schemes.

Having considered the matter, we are of the view that the balance of interest would be best served, till the matter is finally decided by a larger Bench if the Union of India or the UIDA proceed in the following manner:-

1. The Union of India shall give wide publicity in the electronic and print media including radio and television networks that it is not mandatory for a citizen to obtain an Aadhaar card;
2. The production of an Aadhaar card will not be condition for obtaining any benefits otherwise due to a citizen;
- ✓ 3. The Unique Identification Number or the Aadhaar card will not be used by the respondents for any purpose other than the PDS Scheme and in particular for the purpose of distribution of foodgrains, etc. and cooking fuel, such as kerosene. The Aadhaar

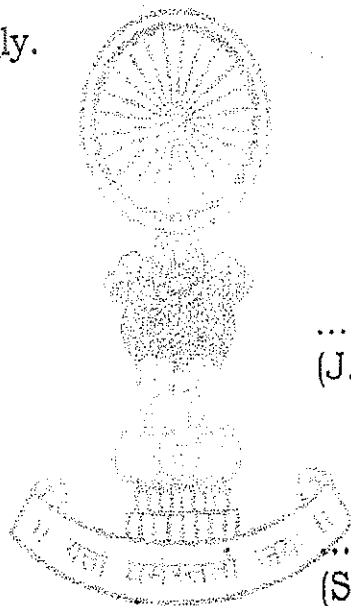
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card may also be used for the purpose of the LPG Distribution Scheme;

4. The information about an individual obtained by the Unique Identification Authority of India while issuing an Aadhaar card shall not be used for any other purpose, save as above, except as may be directed by a Court for the purpose of criminal investigation.

Ordered accordingly.



.....J.
(J. Chelameswar)

.....J.
(S.A. Bobde)

JUDGMENT
.....J.
(C. Nagappan)

New Delhi
August 11, 2015

TRUE CERTIFIED COPY

Rajan Agarwal
राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

P1-103 ERS
Raj 14/8/15

S. No. 51(I)

419

By e-mail / Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI - 110001

No. 23/1/2015(NERPAP)-ERS

720-754

Dated: 13th August, 2015

To,

The Chief Electoral Officers of
All States and Union Territories.

Subject: National Electoral Rolls Purification & Authentication Programme (NERPAP) –
Collection of Aadhaar Number from the applicants - regarding

Sir/Madam,

I am directed to refer to the Commission's letter No. 23/1/2015-ERS dated 27th February, 2015 issuing detailed guidelines for National Electoral Rolls Purification & Authentication Programme (NERPAP) activities launched on 3rd March, 2015. One of the major objectives of NERPAP is linking and authentication of EPIC data of electors with Aadhaar data of UIDAI. For this purpose, currently Aadhaar Number of electors is being collected through various modes throughout the country.

2. In this connection, I am to state that the Hon'ble Supreme Court of India, while considering Writ Petition (Civil) No. 494 of 2012 (Justice K.S. Puttaswamy (Retd.) & Another v/s Union of India & Others), has, by way of an interim measure, passed, *inter alia*, the following Order on 11th August, 2015 -

".....2. The production of an Aadhaar card will not be condition for obtaining any benefits otherwise due to a citizen;

3. The Unique Identification Number or the Aadhaar card will not be used by the respondents for any purpose other than the PDS Scheme and in particular for the purpose of distribution of foodgrains, etc. and cooking fuel, such as kerosene. The Aadhaar card may also be used for the purpose of the LPG Distribution Scheme;

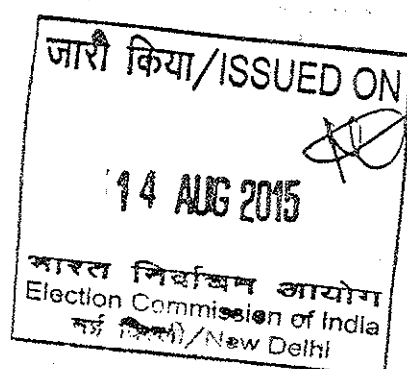
4. The information about an individual obtained by the Unique Identification Authority of India while issuing an Aadhaar card shall not be used for any other purpose, save as above, except as may be directed by a Court for the purpose of criminal investigation;"

3. Accordingly, in the light of the above Order, the Commission has directed the following -

- (i) All further activities relating to collection/feeding/seeding of Aadhaar Number being undertaken currently under NERPAP shall be **suspended with immediate effect** till further directions from the Commission. In other words, henceforth no more collection of Aadhaar Numbers from electors or feeding/seeding of collected Aadhaar data shall be done by any election authority or official connected with the NERPAP.

TRUE CERTIFIED COPY
Rajiv Aggarwal
राजन अग्रवाल/RAJAN AGGARWAL
अनुमान अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

- (ii) No Aadhaar data shall be collected from any other agency/data hub/organization of Central Government/State Government, nor should the data collected so far be used for any authentication/other purpose.
- (iii) So far maintenance of data security and confidentiality of Aadhaar data, already collected from electors or from some other Government Departments/Agencies is concerned, the Commission's instructions contained in letter No. 23/1/2015(NERPAP)-ERS dated 22nd May, 2015 shall be adhered to scrupulously by all election officials involved in the activity.
- (iv) All DEOs, EROs, AEROs, BLOs and other field level electoral machinery shall be sensitized of the Commission's above instructions for strict compliance. Any violations of these instructions will be viewed seriously by the Commission and attract disciplinary action.
- (v) Proper publicity shall be given to disseminate the Commission's above instructions. A Press Note shall be issued by CEOs and DEOs clarifying the position in the wake of the Supreme Court's Order, referred to above, for information and compliance by all concerned.
- (vi) All publicity being done in respect of NERPAP activities relating to collection of Aadhaar Number shall be stopped immediately and all publicity material pertaining thereto, available on CEO's website shall be withdrawn. Information about suspension of this activity should be displayed on the website and notice boards in the offices of DEOs and EROs/AEROs.
- (vii) Other activities of NERPAP for purification except collection/feeding/seeding of Aadhaar Number, will continue and be carried out during the period of Continuous updation and special Summary Revision, 2016.
4. These instructions shall be brought to the notice of all concerned. All concerned will ensure strict compliance of order of Hon'ble SC as stated above. (A copy → 44/c annexed)
5. Kindly acknowledge receipt of the letter and ensure strict compliance.



TRUE CERTIFIED COPY

राजन अग्रवाल/RAJAN AGARWAL
अनुमान, अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

Yours faithfully,

(NARENDRA N BUTOLIA)
SECRETARY

419-A

By e-mail / Speed Post

ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI -110001

No. 23/1/2015(NERPAP)-ERS

Dated: August, 2015

To,

The Chief Electoral Officer *S of*
All States and Union Territories.

Subject: National Electoral Rolls Purification & Authentication Programme (NERPAP) –
Collection of Aadhaar Number from the applicants - regarding

Sir/Madam,

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2. In this connection, I am to state that the Hon'ble Supreme Court of India, while considering Writ Petition (Civil) No. 494 of 2012 (Justice K.S. Puttaswamy (Retd.) & Another v/s Union of India & Others), by way of an interim measure, has passed, *inter alia*, the following Order on 11th August, 2015 -

“.....2. The production of an Aadhaar card will not be condition for obtaining any benefits otherwise due to a citizen;

3. The Unique Identification Number or the Aadhaar card will not be used by the respondents for any purpose other than the PDS Scheme and in particular for the purpose of distribution of foodgrains, etc. and cooking fuel, such as kerosene. The Aadhaar card may also be used for the purpose of the LPG Distribution Scheme;

4. The information about an individual obtained by the Unique Identification Authority of India while issuing an Aadhaar card shall not be used for any other purpose, save as above, except as may be directed by a Court for the purpose of criminal investigation;” -

3. Accordingly, in the light of the above *judgment*, the Commission has directed the following -

- Further*
- (i) All *activities* relating to collection/feeding/seeding of Aadhaar Number, being undertaken currently under NERPAP shall be suspended with immediate effect till further directions from the Commission. In other words, henceforth no more collection of Aadhaar Number, from electors or feeding/seeding of collected Aadhaar data shall be done *by any election authority or official connected with the NERPAP.*

TRUE CERTIFIED COPY

Rajan Aggarwal

राजन अग्रवाल/RAJAN AGGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

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- (ii) No Aadhaar data shall be collected from any other agency/data hub/organization of Central Government/State Government, nor ~~be~~ data collected so far used for any authentication/other purpose.
- (iii) So far maintenance of data security and confidentiality of Aadhaar data, already collected from electors or from some other Government Departments, is concerned, the Commission's instructions contained in letter No. 23/1/2015(NERPAP)-ERS dated 22nd May, 2015 shall be adhered to scrupulously by all election officials involved in the activity.
- (iv) All DEOs, EROs, BLOs and other field level electoral machinery shall be sensitized of the Commission's above instructions for strict compliance. *Any violation of these instructions will be viewed seriously by the Commission and strict disciplinary action.*
- (v) Proper publicity shall be ~~done~~ to disseminate the Commission's above instructions. A Press Note shall be issued by CEOs and DEOs clarifying the position in wake of the Supreme Court's Order, referred to above, for information and compliance by all ~~the~~ concerned.
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- (vii) Other activities of NERPAP for purification and authentication, except collection/feeding/seeding of Aadhaar Number, will continue and be carried out during the period of Continuous updation and special Summary Revision, 2016.
4. These instructions shall be brought to the notice of all concerned. *All concerned will ensure strict compliance of order of Hon'ble SC as stated above. (A copy annexed)*
5. Kindly acknowledge receipt of the letter and ensure strict compliance.

TRUE COPY

Yours faithfully,

राजन अग्रवाल/RAJAN AGARWAL
अनुसंधान अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

(NARENDRA N BUTOLIA)
SECRETARY

Subject: blocking of Aadhaar collection through nvsp portal
To: moona@cdac.in, Tushar Kulkarni <tushark@cdac.in>, mdk@cdac.in
Cc: Umesh Sinha <decus@eci.gov.in>, narendra butolia <narendranb@eci.gov.in>, Sudeep Jain <sudeep.ias@gmail.com>, jains1 <sudeep.jain@eci.gov.in>

Date: 08/13/15 07:28 PM
From: V N Shukla <vnshukla@eci.gov.in>

Sir,

As per the standing instructions from the Commission based on the recent judgement of Supreme Court, collection, feeding, seeding and using aadhaar number for any form of the authentication has suspended with immediate effect. You are requested to block the collection, feeding and seeding of aadhaar number on NVSP portal immediately, from all the input forms on the portal.

With regards

VNShukla
Director IT

TRUE COPY

Rajan

राजन अग्रवाल/RAJAN AGRAWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, New Delhi-110001

INR 21th Stg-1/RF-5

दिनांक : 13 मार्च, 2015

॥ ॥

1. ശുഭദാസ-പ്രകൃത പ്രകൃത മനസ്സ്

ନିର୍ଦ୍ଦେଶ/ନିର୍ଦ୍ଦେଶ

दिनांक ११ अगस्त, २०१५ को निम्नलिखित आदेश पारित किया है-

उद्देश्य के लिए श्री किशोरा जी शर्मा (सं.)

4. आपराधिक जाव के उद्देश्य से किसी न्यायानव द्वारा यथानिर्दिष्ट रूप के अलावा,

[illegible]

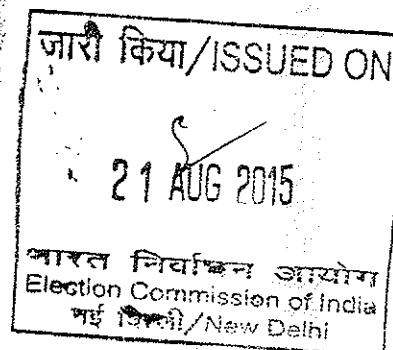
ॐ नमो भगवते वासुदेवाय ।

तदुक्तम्, उपर्युक्त आदेश के आलापक में, आयागे न निम्नलिखित निदेश दिए हैं:-

(1) वर्तमान में नवपंच के अधीन चलाई जा रही आधार संख्या के एकत्रिकरण/कीड़ा/मिडिया से

संबाधन सभी अवलोकित कृत्याकलापा का आयोजन के अवलोकित निर्देशों तक तत्काल प्रभाव से निरस्त कर दिया जाए। अन्य शब्दों में, इसके पश्चात तत्पक्ष से जुड़े किसी निर्वाचक

- प्राधिकारी या अधिकारी द्वारा निर्वाचकों से आधार संख्या का और अधिक एकत्रीकरण या एकत्रित आधार डाटा की फीडिंग/सीडिंग नहीं की जाएगी।
- (ii) न तो केन्द्रीय सरकार/राज्य सरकार की अन्य किसी एजेंसी/डाटा हब/संगठन से कोई आधार डाटा एकत्रित किया जाएगा और न ही अब तक एकत्रित किया गया डाटा किसी प्रमाणीकरण/अन्य उद्देश्य के लिए प्रयोग किया जाना चाहिए।
- (iii) जहां तक निर्वाचकों या कुछ अन्य सरकारी विभागों/एजेंसियों से पहले ही एकत्रित आधार डाटा की डाटा सुरक्षा एवं गोपनीयता के अनुरक्षण का संबंध है, इस गतिविधि में शामिल सभी निर्वाचन अधिकारियों द्वारा दिनांक 22 मई, 2015 के पत्र सं. 23/1/2015(नरपैप)-ईआरएस में निहित आयोग के अनुदेशों का निष्ठापूर्वक अनुसरण करना होगा।
- (iv) आयोग के उपर्युक्त अनुदेशों का सख्ती से पालन करने के लिए सभी जिला निर्वाचन अधिकारियों, निर्वाचक रजिस्ट्रीकरण अधिकारियों, सहायक निर्वाचक रजिस्ट्रीकरण अधिकारियों, बूथ लेवल अधिकारियों एवं अन्य क्षेत्र स्तरीय निर्वाचन तंत्र को संवेदनशील किया जाएगा। इन अनुदेशों के किसी भी उल्लंघन को आयोग द्वारा गम्भीरता से लिया जाएगा और अनुशासनिक कार्रवाई के लिए भागी होगा।
- (v) आयोग के उपर्युक्त अनुदेशों के प्रचार के लिए उपयुक्त प्रचार-प्रसार किया जाएगा। उच्चतम न्यायालय के आदेश, ऊपर संदर्भित, के अनुसरण में स्थिति को स्पष्ट करते हुए, मुख्य निर्वाचन अधिकारियों एवं जिला निर्वाचन अधिकारियों द्वारा, सभी संबंधितों की सूचना एवं अनुपालन के लिए एक प्रेस नोट जारी किया जाएगा।
- (vi) आधार संख्या एकत्रित करने हेतु नरपैप क्रियाकलापों के संदर्भ में किए जा रहे सभी प्रचार तुरंत रोक दिए जाएंगे और मुख्य निर्वाचन अधिकारियों की वेबसाइट पर उपलब्ध इससे संबंधित सभी प्रचार सामग्री तुरन्त हटा ली जाएगी। इस क्रियाकलाप के निरस्तीकरण की सूचना वेबसाइट पर एवं जिला निर्वाचन अधिकारियों एवं निर्वाचक रजिस्ट्रीकरण अधिकारियों/सहायक निर्वाचक रजिस्ट्रीकरण अधिकारियों के कार्यालयों में सूचना पट्ट पर प्रदर्शित की जाएगी।
- (vii) आधार संख्या के एकत्रीकरण/फीडिंग/सीडिंग के अलावा परिशोधन के लिए नरपैप के अन्य क्रियाकलाप जारी रहेंगे और लगातार अद्यतनीकरण एवं विशिष्ट संक्षिप्त पुनरीक्षण, 2016 की अवधि के दौरान सम्पन्न किए जाएंगे।
4. ये अनुदेश सभी संबंधितों के ध्यान में लाए जाएं। सभी संबंधित यथा उपरोक्त माननीय उच्चतम न्यायालय के आदेश का सख्ती से अनुपालन करना सुनिश्चित करेंगे। (प्रतिलिपि संलग्न)।
5. कृपया पत्र की पावती दें और सख्त अनुपालन सुनिश्चित करें।



TRUE CERTIFIED COPY

Rajon Aggarwal

भवदीय,

राजन अग्रवाल/RAJAN AGGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

ना. बुटोलिया

सचिव

9

Format

Date :

Name of District

[illegible]

4

सर्वोपस्थित/Section Officer
सर्वोपस्थित/Section Officer
Election Commission of India
असम रोड, न. दार्ज. 713000

REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO.494 OF 2012

Justice K.S. Puttaswamy (Retd.) & Another ... Petitioners

Versus

Union of India & Others

... Respondents

WITH

TRANSFERRED CASE (CIVIL) NO.151 OF 2013

TRANSFERRED CASE (CIVIL) NO.152 OF 2013

WRIT PETITION (CIVIL) NO.829 OF 2013

WRIT PETITION (CIVIL) NO.833 OF 2013

WRIT PETITION (CIVIL) NO.932 OF 2013

TRANSFER PETITION (CIVIL) NO.312 OF 2014

TRANSFER PETITION (CIVIL) NO.313 OF 2014

WRIT PETITION (CIVIL) NO.37 OF 2015

WRIT PETITION (CIVIL) NO.220 OF 2015

TRANSFER PETITION (CIVIL) NO.921 OF 2015

CONTEMPT PETITION (CIVIL) NO.144 OF 2014 IN WP(C) 494/2012

CONTEMPT PETITION (CIVIL) NO.470 OF 2015 IN WP(C) 494/2012

INTERIM ORDER

After the matter was referred for decision by a larger Bench, the learned counsel for the petitioners prayed for further interim orders. The last interim order in force is the order of this Court dated 23.9.2013 which reads as follows:-

“....

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Asoka Road, N. Delhi-110001

All the matters require to be heard finally. List all matters for final hearing after the Constitution Bench is over.

In the meanwhile, no person should suffer for not getting the Aadhaar card inspite of the fact that some authority had issued a circular making it mandatory and when any person applies to get the Aadhaar card voluntarily, it may be checked whether that person is entitled for it under the law and it should not be given to any illegal immigrant."

It was submitted by Shri Shyam Divan, learned counsel for the petitioners that the petitioners having pointed out a serious breach of privacy in their submissions, preceding the reference, this Court may grant an injunction restraining the authorities from proceeding further in the matter of obtaining biometrics etc. for an Aadhaar card. Shri Shyam Divan submitted that the biometric information of an individual can be circulated to other authorities or corporate bodies which, in turn can be used by them for commercial exploitation and, therefore, must be stopped.

TRUE CERTIFIED COPY

Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुवाक अधिकारी/Section Officer
भारत निर्माण आयोग
Bharat Construction Corporation of India
अस्नोका रोड, नई दिल्ली-110001
Asnoka Road, N. Delhi-110001

The learned Attorney General pointed out, on the other hand that this Court has at no point of time, even while making the interim order dated 23.9.2013 granted an injunction restraining the Unique Identification Authority of India from going ahead and obtaining biometric or other information from a citizen for the purpose of a Unique Identification Number, better known as "Aadhaar card". It was further submitted that the respondents have gone ahead with the project and have issued Aadhaar cards to

about 90% of the population. Also that a large amount of money has been spent by the Union Government on this project for issuing Aadhaar cards and that in the circumstances, none of the well-known consideration for grant of injunction are in favour of the petitioners.

The learned Attorney General stated that the respondents do not share any personal information of an Aadhaar card holder through biometrics or otherwise with any other person or authority. This statement allays the apprehension for now, that there is a widespread breach of privacy of those to whom an Aadhaar card has been issued. It was further contended on behalf of the petitioners that there still is breach of privacy. This is a matter which need not be gone into further at this stage.

The learned Attorney General has further submitted that the Aadhaar card is of great benefit since it ensures an effective implementation of several social benefit schemes of the Government like MGNREGA, the distribution of food, ration and kerosene through PDS system and grant of subsidies in the distribution of LPG. It was, therefore, submitted that restraining the respondents from issuing further Aadhaar cards or fully utilising the existing Aadhaar cards for the social schemes of the Government should be allowed.

The learned Attorney General further stated that the

TRUE CERTIFIED COPY
Rajam Aggarwal
राजन अग्रवाल/RAJAN AGGARWAL
अनुमान अधिकारी/Secretary
आरल निर्वाचन आयोग
Election Commission of India
असोक रोड, नई दिल्ली-110001
Asok Road, N. Delhi-110001

respondent Union of India would ensure that Aadhaar cards would only be issued on a consensual basis after informing the public at large about the fact that the preparation of Aadhaar card involving the parting of biometric information of the individual, which shall however not be used for any purpose other than a social benefit schemes.

Having considered the matter, we are of the view that the balance of interest would be best served, till the matter is finally decided by a larger Bench if the Union of India or the UIDA proceed in the following manner:-

1. The Union of India shall give wide publicity in the electronic and print media including radio and television networks that it is not mandatory for a citizen to obtain an Aadhaar card;
2. The production of an Aadhaar card will not be condition for obtaining any benefits otherwise due to a citizen;
3. The Unique Identification Number or the Aadhaar card will not be used by the respondents for any purpose other than the PDS Scheme and in particular for the purpose of distribution of foodgrains, etc. and cooking fuel, such as kerosene. The Aadhaar card may also be used for the purpose of the LPG Distribution Scheme;
4. The information about an individual obtained by the Unique

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राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

Identification Authority of India while issuing an Aadhaar card shall not be used for any other purpose, save as above, except as may be directed by a Court for the purpose of criminal investigation.

Ordered accordingly.

.....J.
(J. Chelameswar)

.....J.
(S.A. Bobde)

.....J.
(C. Nagappan)

New Delhi
August 11, 2015

TRUE CERTIFIED
Rajen Agarwal
राजन अग्रवाल/RAJEN AGARWAL
अनुभाग अधिकारी/Section Officer
भारत निर्वाचन आयोग
Election Commission of India
अशोक रोड, नई दिल्ली-110001
Ashoka Road, N. Delhi-110001

Plan in Rel. Fee (NRPAP) W/ AKT ERS

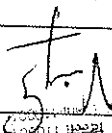
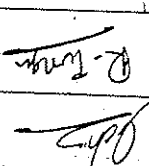
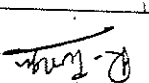
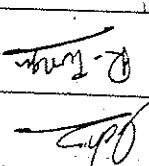
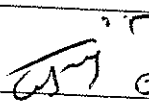
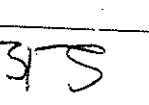
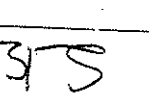
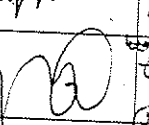
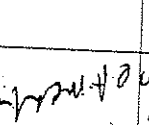
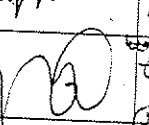
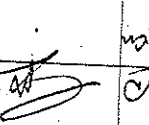
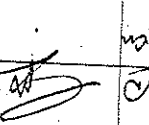
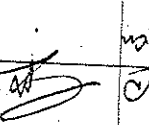
ENDANCE SHEET for the Seeding of Aadhar Number (UID)/Smart Card Number (NPR) in Electoral Database for cleansing of the electoral rolls on 02.01.2015 at 12:00 noon

S.No	Name of State	Name	Mobile No.	E-mail ID	Signature
1.	UIDAI	ASHOK KUMAR	9818655054	ashok.kumar@uidai.net.in	
		TASHWANT KUMAR	9871121835	Tashwan.kumar@uidai.net.in	
		NARENDRA SINGH	9873663661	narendra.singh@pu@uidai.gov.in	
2.	Haryana.	Mukesh Bhat	9815738877	ramsheryana@yahoo.com	
		ASHISH SHARMA	9501345262	hry-elect@yahoo.com	
3.	Tripura	S. Banik	9636541726	suman.banik@nic.in	
		Asst. Chief Electoral Officer			
4.	NISG	M. Bhoshan Kumar Lodha	9910074515	bhoshan.kumar@nisg.org	
		Sudhir Saxena	9810027841	sudhir.saxena@nisg.org	

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Rajan Agarwal

राजन अग्रवाल/RAJAN AGARWAL
अनुभाग अधिकारी/Section Officer
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Ashoka Road, N. Delhi-110001

9.	NISG	Vinay Singh	9860277477	<p>  NISG Vinay Singh NISG </p>
8.	ODISHA	<p>  IDRIS ALI KHAN 9861012713 AS-Enr ceo@bba@gmail.com R. Singh </p>	<p>  RAMKRUSHNA TUNGA 9861063854 ceo@bba@gmail.com R. Singh </p>	<p>  IDRIS ALI KHAN 9861012713 AS-Enr ceo@bba@gmail.com R. Singh </p>
7.	KERALA	<p>  R. Shankar 944769009 ceo@bba@gmail.com S. S. </p>	<p>  Sreekanth D 9447588408 ceo@bba@gmail.com S. S. </p>	<p>  Sreekanth D 9447588408 ceo@bba@gmail.com S. S. </p>
6.	GUJARAT	<p>  P D TAILOR 9895021546 ceo@bba@gmail.com P. D. Tailor </p>	<p>  C A MEHTA 9879944444 ceo@bba@gmail.com C. A. Mehta </p>	<p>  P D TAILOR 9895021546 ceo@bba@gmail.com P. D. Tailor </p>
5.	AP & TE	<p>  G. Vardaraj 9849990008 ceo@bba@gmail.com G. Vardaraj </p>	<p>  G. Vardaraj 9849990008 ceo@bba@gmail.com G. Vardaraj </p>	<p>  G. Vardaraj 9849990008 ceo@bba@gmail.com G. Vardaraj </p>

10	NISG	ARBIND KUMAR	08800113389		Arind

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Rajan Agarwal

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Ashoka Road, N. Delhi-110001

~~Attendance Sheet.~~

Meeting to discuss Aadhar \leftrightarrow ER \leftrightarrow NPR

At 19.9:14. Time 3 PM Venue - Cal.

Request:- kindly do the needful.

Sl. No.	Name	Office	Mobile No
1.	Anoop Singh	Adicco AP	9491073798
2.	Jaydeep Divredh	Joint CEO Bijapur	9978408248
3.	Anil Kumar Jha	CEO Kannada	9448290830
4.	Sanjay Mittal	NISG	9899059442
5.	Sudhar Sakhin A	NISG	9818027841
6.	M. Bhaskar K. Wihra	NISG	9910044510
7.	G. Varaprasad	qo CEO	9849990986
8.	Paresh Talva	SLT, Bangalore	9898021371
9.	Ajit Adhwar	US qo CEO	9978405805
10.	Sujata Chaturvedi	qo CEO	956053896
11.	Alok Kumar	VIDAT	9818655056
12.	S.K. Chatterbaj	RCS	98668880796
13.	Vikas	ECI	9968302269
14.	Kunt Karmartham	NISG	9810777838
15.	B. C. Joshi	VIDAT	9810178738
16.	Karesh Kantam	VIDAT	9910029527